

THE STATE OF NEW HAMPSHIRE
BOARD OF MANUFACTURED HOUSING

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|--------------------------|---|-------------------|
| Marie Melvin, |) | |
| “Complainant” |) | |
| |) | Docket No. 018-01 |
| Vs. |) | |
| |) | |
| Mr. & Mrs. Arthur Cook |) | |
| (Cook’s Mobile Home Par) |) | |
| “Respondents” |) | |

Hearing held on March 8, 2002, at Concord, New Hampshire.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Board of Manufactured Housing (“the Board”) makes the following findings of fact and conclusions of law and issues the following order in the above referenced matter.

PARTIES

1. Marie Melvin (“Complainant”) is and was at all times relevant to this matter, a lawful tenant of Cook’s Mobile Home Park, a manufactured housing community located in Salem, New Hampshire.
2. Mr. and Mrs. Arthur Cook are the owners of Cook’s Mobile Home Park, (“the park”) a manufactured housing community located in Salem, New Hampshire. Mr. and Mrs. Arthur Cook and the park will be referred to as a unified entity by the term “Respondent.”

ISSUES PRESENTED

This Order addresses two unrelated issues:

1. The Complainant claims she has never received a copy of the park rules from the Respondents.
2. The Complainant claims that contractors cannot come into the park to do work on her property without the Respondent’s permission and without a certificate of insurance.

BOARD'S RULINGS AND FINDING

The board convened March 8, 2002, to hear testimony given by the Complainant, Marie Melvin of 20 Travelers Drive, Salem, NH, regarding actions, in-actions and conduct by Respondents Mr. & Mrs. Arthur Cook. Mr. & Mrs. Cook, while present at the hearing, were represented by their attorney, Joseph L. Hamilton. The board found that:

- 1) Under RSA 205-A2 XI, all tenants must be give a copy of the park rules of the manufactured housing park.
- 2) Not enough evidence was given to determine if any statues were broken regarding allegations that the park owners were denying contractors from entering the park and that all contractors entering the park are required to show certificates of insurance. Contract work ordered to be done on her home was completed.

ORDER

- 1) The board pursuant to RSA 205-A2 XI orders the Respondents to provide a set of park rules to the Complainant. The park rules were handed to the complainant during the hearing by the Respondents' attorney, Joseph L. Hamilton.
- 2) The board pursuant to RSA 205-A: 2 V issues no decision as to item (2) above.

A decision of the Board may be appealed, by either party, by first applying for a rehearing with the Board within thirty (30) days of the clerk's date below, not the date this decision is received, in accordance with Man 201.27 Decisions and Rehearings. The Board shall grant a rehearing when: (1) there is new evidence not available at the time of the hearing; (2) the Board's decision was unreasonable or unlawful.

SO ORDERED

BOARD OF MANUFACTURED HOUSING

By: _____
Kenneth R. Nielsen, Esq., Chairman

Members participating in this action:

Kenneth R. Nielsen, Esq.
Linda J. Rogers
George Maskiell
Florence E. Quast
Sherrie (Babich-Strang) Keith

Rep. Robert J. Letourneau recused himself from participating in this action.

CERTIFICATION OF SERVICE

I hereby certify that a copy of the forgoing Order has been mailed this date, postage prepaid, to Marie Melvin, 20 Travelers Dr., Salem, NH 03079, Mr. & Mrs. Arthur Cook, 37 S. Broadway, Salem, NH 03079 and Joseph L. Hamilton, Esq., 54 Main St., Salem, NH 03079

Dated: _____

Anna Mae Twigg, Clerk
Board of Manufactured Housing

BOARD MEMBERS CONCURRENCE

**Marie Melvin v. Mr. & Mrs. Arthur Cook, Docket No. 018-01
CASE**

GEORGE E. MASKIELL

KENNETH R. NIELSEN, ESQ.

FLORENCE E. QUAST

LINDA J. ROGERS

SHERRY (BABICH-STRANG) KEITH

Order Melvin 018-01 Mar. 8, 2002.doc